

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-80083-CR-CANNON

UNITED STATES OF AMERICA,

vs.

FREDDIE RAMON ALLEN,

Defendant.

**ORDER GRANTING GOVERNMENT’S UNOPPOSED MOTION FOR FORFEITURE
AND ENTERING PRELIMINARY ORDER OF FORFEITURE**

THIS MATTER is before the Court upon the Government’s Unopposed Motion for the entry of a Preliminary Order of Forfeiture against Defendant Freddie Ramon Allen (the “Defendant”) [ECF No. 36]. Upon consideration of the Motion, and being otherwise advised in the premises, the Court **GRANTS** the Motion [ECF No. 36] and finds as follows:

On May 26, 2022, a federal grand jury returned an Indictment charging Defendant with possession of a firearm and ammunition by a convicted felon, in violation of 18 U.S.C. § 922(g)(1) [ECF No. 9]. The Indictment also contained forfeiture allegations which alleged that, upon conviction of a violation of 18 U.S.C. § 922(g)(1) or any other criminal law of the United States, Defendant shall forfeit any firearm and ammunition involved in or used in the commission of the violation of such offense. *See id.*

On January 9, 2023, the Court held a Change of Plea hearing and accepted Defendant’s guilty plea to the Indictment [ECF No. 29]. As part of the guilty plea, Defendant agreed to the forfeiture of any firearm or ammunition involved in or used in the commission of the offense alleged in the Indictment or any other violation of any other criminal law of the United States,

pursuant to 18 U.S.C. § 924(d)(1) [ECF No. 30].

In support of the guilty plea, Defendant executed a Factual Proffer, and the Court found a factual basis to support Defendant's conviction [ECF No. 31]. The Factual Proffer also provided a basis for the forfeiture of property. *See id.*

As set forth in the factual proffer, the Defendant possessed a firearm, an Astra, Model A75, .40 caliber pistol, which contained seven rounds of 9 mm ammunition, more specifically, four rounds of Winchester ammunition, one round of Sig Sauer ammunition, one round of Sellier and Bellot ammunition, and one round of Remington-Peters ammunition [ECF No. 31 p. 2]

Accordingly, based on the foregoing, the evidence in the record, and for good cause shown, the Motion is **GRANTED**, and it is hereby **ORDERED** that:

1. Pursuant to 18 U.S.C. § 924(d)(1), the following specific property is hereby forfeited to the United States of America:

- i. One (1) Astra, Model A75, .40 caliber pistol;
- ii. Four (4) rounds of Winchester 9 mm ammunition;
- iii. One (1) round of Sig Sauer 9 mm ammunition;
- iv. One (1) round of Sellier and Bellot 9 mm ammunition; and
- v. One (1) round of Remington-Peters 9 mm ammunition.

2. Any duly authorized law enforcement agency may seize and take possession of the forfeited property according to law.

3. The United States shall send and publish notice of the forfeiture in accordance with Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n).

4. The United States is authorized to conduct any discovery that might be necessary to identify, locate, or dispose of forfeited property, and to resolve any third-party petition, pursuant to Rule 32.2(b)(3), (c)(1)(B) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(m).


CASE NO. 22-80083-CR-CANNON

5. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Order is final as to the Defendant.

6. The Court shall retain jurisdiction in this matter for the purpose of enforcing this Order, and pursuant to Rule 32.2(e)(1) of the Federal Rules of Criminal Procedure, shall amend this Order, or enter other orders as necessary, to forfeit additional specific property when identified.

Upon notice from the United States that no claims have been filed within 60 days of the first day of publication or within 30 days of receipt of notice, whichever is earlier, then, pursuant to Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(7), this Order shall become a Final Order of Forfeiture and any duly authorized law enforcement agency shall dispose of the Firearm and Ammunition in accordance with applicable law.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 29th day of March 2023.


AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE